

41-6a-311. Interference with traffic-control devices prohibited -- Traffic signal preemption device prohibited -- Exceptions -- Defense.

(1) Except as provided in Subsection (3), a person may not alter, deface, damage, knock down, or remove any:

- (a) traffic-control device;
- (b) traffic-monitoring device; or
- (c) railroad traffic-control device.

(2) Except as provided in Subsection (3), a person may not:

(a) knowingly use a traffic signal preemption device to interfere with the authorized operation or the authorized cycle of a traffic-control signal; or

(b) operate a motor vehicle on a highway while in possession of a traffic signal preemption device.

(3) The provisions of Subsections (1) and (2) do not apply to a person authorized by the highway authority or railroad authority with jurisdiction over the device.

(4) It is an affirmative defense to a charge under Subsection (2)(b) that the traffic signal preemption device was inoperative and could not be readily used at the time of the citation or arrest.

Renumbered and Amended by Chapter 2, 2005 General Session